

**BOARD DOCUMENT 10-07**

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE  
BOARD MEETING  
THURSDAY OCTOBER 7, 2010  
INDIANA GOVERNMENT CENTER SOUTH  
402 W WASHINGTON STREET, ROOM W064  
INDIANAPOLIS, IN 46204**

**MINUTES OF THE MEETING**

**BOARD MEMBERS PRESENT:** Theodore Mau, Chairman  
Paul St. Pierre, Vice Chairman  
James Todd  
Matthew Drury  
John Gerlach  
David McComb  
Anne M. Patterson  
Roland Cutter  
Erin Kellam, State Board of Health

**BOARD MEMBER ABSENT:** Samuel Frain

**STATE OFFICIALS PRESENT:** Tracy Hicks, Board Director  
Kevin McDowell, Deputy Attorney General  
Larry Harvey, Compliance Director  
Jeanne Tucker, Compliance Officer

**MINUTES TRANSCRIBED AND  
COMPILED BY:** Tracy Hicks, Board Director

**MINUTE NO. 10-67  
CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by T. Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE NO. 10-68  
ADOPTION OF THE OCTOBER 7, 2010 AGENDA**

P. St. Pierre moved to adopt the October 7, 2010 agenda. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 10-69  
ADOPTION OF THE MINUTES OF AUGUST 5,, 2010 MEETING OF THE BOARD**

J. Gerlach moved to adopt the minutes of the August 5, 2010 meeting of the board. R. Cutter seconded the motion. Motion carried.

**MINUTE NO. 10-70  
ADMINISTRATIVE HEARING IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06**

P. St. Pierre moved to extend the summary suspension for 90 days. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 10-71**

**ADMINISTRATIVE HEARING IN THE MATTER OF EUGENE WAGNER, FD29600119, SBFCS 10-05**

The matter of Eugene Wagner, FD29600119, SBFCS 10-05 has been continued and will be rescheduled for December 2, 2010.

**MINUTE NO. 10-72**

**PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

M. Drury moved to reinstate the license on probation upon passing the state examination. He further moved that forty (40) hours of continuing education will be required by December 31, 2012. The continuing education shall be no more than 50% of self study and shall be in law and preneed in the matter of Emanuel Warren Wilson, FD29600009. P. St. Pierre seconded the motion. Motion carried.

**MINUTE NO. 10-73**

**PRESENTATION BY KEVIN MCMULLEN REGARDING ALKALINE HYDROLYSIS**

The board determined that current statutes do not allow for Alkaline Hydrolysis for human bodies. The board felt the industry was not ready to offer this service to the public due to the nature of the process.

**MINUTE NO. 10-74**

**CONSIDERATION OF COSTS AS PROVIDED BY IC 25-1-11-18**

R. Cutter moved to approve the costs in the matter of John T. Hauck, SBFCS 10-04; \$232.96. M. Drury seconded the motion. P. St. Pierre abstained. Motion carried.

**MINUTE NO. 10-75**

**CONSIDERATION OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2011 DUES - \$250.00**

P. St. Pierre moved to approve payment of the International Conference of Funeral Service Examining Boards 2011 dues in the amount of \$250.00 from the education fund. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 10-76**

**VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND**

**A. Midwest Funeral Home & Cremation Society for James E. McQueen, Sr.**

Re: Northeast Indiana Cremation Society, CR30000006

T. Mau moved to deny the request due to no proof of payment. D. McComb seconded the motion. Motion carried. J. Gerlach moved to recend the previous motion, table the matter and require a personal appearance from the owner(s) of Northeast Indiana Cremation Society, CR30000006, to determine the status of the pending contracts that Gonyea had that Northeast Indiana Cremation Society have assumed. A. Patterson seconded the motion. Motion carried.

**B. Midwest Funeral Home & Cremation Society for Margaret E. Osborn**

Re: Northeast Indiana Cremation Society, CR30000006

A. Patterson moved to approve the request in the amount of \$1289.20 plus interest. P. St. Pierre seconded the motion. Motion carried. J. Gerlach moved to recend the previous motion, table the matter and require a personal appearance from the owner(s) of Northeast Indiana Cremation Society, CR30000006, to determine the status of the pending contracts that Gonyea had that Northeast Indiana Cremation Society have assumed. A. Patterson seconded the motion. Motion carried.

**C. Midwest Funeral Home & Cremation Society for George I. Martin**

Re: Northeast Indiana Cremation Society, CR30000006

J. Gerlach moved to approve the request in the amount of \$998.00 plus interest. E. Kellam seconded the motion. Motion carried.

J. Gerlach moved to recend the previous motion, table the matter and require a personal appearance from the owner(s) of Northeast Indiana Cremation Society, CR30000006, to determine the status of the pending contracts that Gonyea had that Northeast Indiana Cremation Society have assumed. A. Patterson seconded the motion. Motion carried.

**D. Midwest Funeral Home & Cremation Society for Marc D. Pape re: Phyllis I. Pape**

Re: Northeast Indiana Cremation Society, CR30000006

R. Cutter moved to deny the request due to no proof of payment. J. Gerlach seconded the motion. Motion carried. J. Gerlach moved to recend the previous motion, table the matter and require a personal appearance from the owner(s) of Northeast Indiana Cremation Society, CR30000006, to determine the status of the pending contracts that Gonyea had that Northeast Indiana Cremation Society have assumed. A. Patterson seconded the motion. Motion carried.

**E. Midwest Funeral Home & Cremation Society for Mary Catherine Eakin**

Re: Northeast Indiana Cremation Society, CR30000006

J. Gerlach moved to table the matter and require a personal appearance from the owner(s) of Northeast Indiana Cremation Society, CR30000006, to determine the status of the pending contracts that Gonyea had that Northeast Indiana Cremation Society have assumed. A. Patterson seconded the motion. Motion carried.

**F. Jennifer S. Boone**

Re: R. D. Pyke Funeral Services, FH89200005

J. Gerlach moved to deny the request due to the fact that it was not a preneed matter. P. St. Pierre seconded the motion. Motion carried.

**G. Donna Carson for Raymong Nathan Lauderbaugh**

Re: Grandview Memorial Gardens, CM40100006

P. St. Pierre moved to deny the request due to the fact that the contract was fulfilled. J. Gerlach seconded the motion. Motion carried.

**H. Pruzen Funeral Service, Inc. for Stephanie Setlack**

Re: Graceland Cemetery Association, Inc. and Graceland Cemetery LLC, CM40600007

J. Gerlach moved to deny the request. M. Drury seconded the motion. Motion carried.

**I. Steinke Funeral Home for Bethal L. Kendall**

Re: Robert Lang, FD08600644, revoked  
Lang Funeral Home, FH19300014, revoked

P. St. Pierre moved to table the request pending a death certificate and an at-need contract. R. Cutter seconded the motion. Motion carried.

**MINUTE NO. 10-77  
CORRESPONDENCE**

- A. Flanner and Buchanan Funeral Centers have agreed to allow Adrienne Gault, FI21000004, to serve her internship with them.
- B. Andy Rumph, Spring Valley Funeral and Cremation Service is offering to take possession of the preneed files for closed funeral homes Paul V. Shrader Funeral Home, FH83005037, and R.D. Pyke Funeral Home, FH89200005, for the purpose of determining accuracy, funding, and face amount. Mr. Rumph will report his findings to the board. **The matter is tabled for further discussion.**
- C. SCI management reported a purchase of all outstanding common shares of Keystone for Roselawn Cemetery, 7500 N. Clinton, Terre Haute, IN and has submitted a copy of the letter they are sending to the preneed contract holders.
- D. French, Lawson-Miller, & Schoppenhorst, FH19500014, reported Cynthia Lake, FI21000006, will be employed there September 6, 2010. They further notified the board she is no longer employed as of September 10, 2010.
- E. Monica Vernetta Gray, FD20600055, reported she is no longer employed at Divinity Funeral Home, FH10700039 is now employed at Ridgelawn Funeral Home, FH10200007.
- F. Walter J. Gerver Jr., FD29600042 reported that he is no longer employed at Jackley-Landrum Funeral Home, FH83001766 and is now employed at Randall & Roberts Funeral Home, FH83005215.

- G. Morgan Nay Funeral Home, FH19700018, reported Wayne Simpson, FD21000063 is employed with them.
- H. Ott/Haverstock Funeral Chapel, Inc., FH88800023, reported Keith Warner, FD20800008 resigned his position with the funeral home.
- I. Kristopher Hardiman, FD20100003, is now employed at Covington Memorial Gardens and Funeral Home, FH11000032.
- J. Robert G. Porter, FD01045540, is the manager in charge of Porter Funeral Home in Jamestown, FH83003637 and Porter Funeral Home in Salem, FH83005265

#### **MINUTE NO. 10-78**

#### **FILING COMPLAINTS WITH THE ATTORNEY GENERAL'S OFFICE**

It was the decision of the board that every complaint filed by IPLA compliance be copied to the complaint liaison so that the liaison is certain to receive all of the information needed.

#### **MINUTE NO. 10-79**

#### **REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED**

P. St. Pierre moved to approve the following providers and courses. J. Todd seconded the motion. Motion carried.

#### **APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION**

#### **Cincinnati Equitable Life Insurance Company, 525 Vine Street, P.O. Box 3428, Cincinnati, OH 45201**

- The Many Roles of Funeral Directors During a Disaster, ongoing, 2 ceu
- Funeral Service: Adjusting to Changing Consumer Desires, ongoing, 2 ceu
- Haiti Mortuary Response (Part 1), ongoing, 1 ceu
- Haiti Mortuary Response (Part 2), ongoing, 1 ceu
- Cemeteries in England, ongoing, 1 ceu

#### **Regional Mental Health Center, c/o Geminus, 8400 Louisiana, Merrillville, IN 46410**

- Grief Response in Schools Workshop, September 10, 2010, 3 ceu
- C.A.L.M. (Counsel on Access to Lethal Means) Workshop, September 17, 2010, 2 ceu
- The Impact of Drugs and Alcohol in the Workplace, September 20, 2010, 1 ceu

#### **Stillinger Family Funeral Home, 1780 W. Main St., Greenfield, IN 46140**

- IDRS – Indiana State Department of Health, September 13, 2010, 3 ceu

#### **NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS**

#### **Aurora Casket Company, P.O. Box 29, Aurora, IN 47001**

- Family Business Conference, September 23, 2010, 5 ceu

#### **Batesville Casket Company, One Batesville Blvd., Batesville, IN 47000**

- Vaulting Into The Future, ongoing, 3 ceu
- Seven Secrets Consumers Don't Share, ongoing, 3 ceu
- Differentiate or Die, ongoing, 2 ceu
- What is Your GRASP on Cremation Consumers?, ongoing, 2 ceu
- A Better Way to Assist Today's Value Driven Consumer, ongoing,, 2 ceu
- The Zero Turn Lawnmower & Your Funeral Home Website, ongoing, 2 ceu
- Research to Results, ongoing, 2 ceu
- Communicating w/Families Making More Effective Arrangements, ongoing, 3 ceu
- Seven Secrets Consumers Don't Share, ongoing, 3 ceu
- Understanding & Meeting the Needs & Challenges of Our Changing Families, ongoing, 9 ceu
- Plant Tour & Product Knowledge, ongoing, 3 ceu
- Creating Value for Families Through Meaningful Funeral Experiences, ongoing, 3 ceu
- Getting to Know the Cremation Consumer – An Initial Action Plan, ongoing, 2 ceu

- Using E-Business to Create a Meaningful Funeral Experience, ongoing, 2 ceu

**Brooke's Place for Grieving Young People, 50 East 91<sup>st</sup> St., Suite 103, Indianapolis, IN 46240**

- Please Let Me Bring My Little Race Car!, August 25, 2011, 4 ceu

**Education Workers Group, 45 Ludlow St., Staten Island, NY 10312 718-701-0385**

- Burial With Military Honors, online, ongoing, 3 ceu
- Ethics, Attitude, & Customer Service, online, ongoing, 3 ceu

**Fountain National Academy of Professional Embalming Skills, 2211 W. Norton Rd., Springfield, MO 65803**

- Seminar #3D Embalming Skills, May 7-10, 2011, 23 ceu
- Seminar #2D Soft tissue Injuries, Waxing, May 11-13, 2011, 18 ceu
- Seminar #5D Advanced Post Mortem, May 14-18, 2011, 40 ceu
- Seminar #4D Advanced II Post Mortem, May 20-24, 2010, 30 ceu
- Seminar #3D Embalming Skills, September 10-13, 2011, 23 ceu
- Seminar #2D Soft tissue Injuries, Waxing, September 14-16, 2011, 18 ceu
- Seminar #5D Advanced Post Mortem, September 17-21, 2011, 40 ceu
- Seminar #4D Advanced II Post Mortem, September 23-27, 2010, 30 ceu

**Hospice Foundation of America, 1710 Rhode Island Avenue NW, Suite 400, Washington, DC 20036**

- Spirituality and End-of-Life Care, ongoing, 3 ceu

**International Cemetery, Cremation, & Funeral Association, 107 Carpenter Dr. Suite 100, Sterling, VA 20164**

- ICCFA Fall Management Conference, October 27-30, 2010, 9 ceu

**Ivy Tech Community College, 410 E. Columbus Drive, East Chicago, IN 46312**

- Tributes: A Celebration of Life, December 1, 2010, 2 ceu

**Minnick Services, 222 N. Thomas Road, Fort Wayne, IN 46808**

- Unparalleled Service in Competitive Times, October 5-6, 2010, 4 ceu

**MINUTE NO. 10-80  
RULES DISCUSSION**

The board decided to schedule a rules committee meeting November 10, 2010 at 10:00 a.m. possibly at IFDA office. Kevin McDowell will check the statutes to determine if the location is legally possible.

**MINUTE NO. 10-81  
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:08 p.m.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Theodore Mau,  
Chairman

Attest: \_\_\_\_\_  
Tracy Hicks, Board Director